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Report of the Working Group on the Universal Periodic Review*

Spain

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Introduction

1. The Working Group on the Universal Periodic Review , established in accordance with Human Rights Council resolution 5/1 of 18 June 2007, held its twenty-first session from 19 to 30 January 2015. The review of Spain was held at the 5th meeting on 21 January 2015. The delegation of Spain was headed by Ignacio Ybáñez, Secretary of State for Foreign Affairs. At its 10th meeting held on 23rd January 2015, the Working Group adopted the report on Spain.

2. On 13 January 2015, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Spain: the former Yugoslav Republic of Macedonia, Sierra Leone and the United Kingdom of Great Britain and Northern Ireland.

3. In accordance with paragraph 15 of the annex to resolution 5/1 and paragraph 5 of the annex to resolution 16/21, the following documents were issued for the review of Spain:

(a) A national report submitted/written presentation prepared in accordance with paragraph 15 (a) (A/HRC/WG.6/21/ESP/1);

(b) A compilation prepared by the Office of the High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/21/ESP/2);

(c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/21/ESP/3).

4. A list of questions prepared in advance by the Czech Republic, Germany, the Netherlands, Norway, Slovenia, Sweden and the United Kingdom of Great Britain and Northern Ireland was transmitted to Spain through the troika. Those questions are available on the extranet of the universal periodic review (UPR).

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. The Secretary of State for Foreign Affairs of Spain considered that the universal periodic review was an essential tool for assessing human rights policies and laws and a mechanism for dialogue between States on their commitment to the universal system of promotion and protection of human rights.

6. The delegation recalled that Spain had ratified most human rights instruments and optional protocols, submitted all its reports to the treaty bodies and extended an open invitation to the special procedures. Since its first UPR, Spain had received visits from four special procedures.

7. The drafting of the national report was intended as an exercise in self-criticism—an essential element of the UPR—and included the participation of ministries and other public institutions, and civil society. The suggestions from civil society were extremely useful to better understand how laws and policies promoted by the Government were perceived. The national human rights institution, the Defensor del Pueblo, also participated in the process as an observer.

8. The national report focused, primarily, on the recommendations received in 2010—previously addressed in the voluntary interim report submitted in 2012—and on the developments and events of recent years, particularly the fiscal adjustment undertaken to counter the global economic and financial crisis, which still had significant repercussions.

The delegation recalled that the Government had taken into account the criteria established by the Committee on Economic, Social and Cultural Rights regarding adjustment measures, which should be proportionate, provisional, necessary and not be regressive or discriminatory.

9. The delegation went on to describe some of the main themes of the national report. It mentioned, at the institutional level, the establishment of hate crime and discrimination departments in each of the provincial prosecutor's offices in Spain. It also highlighted the establishment of the post of National Rapporteur on human trafficking to improve coordination among the various institutions involved.

10. The delegation stressed that, at the legislative level, the ongoing reform of the penal code would lead to significant developments in the human rights field. For instance, the reform would criminalize forced marriage, strengthen the protection of victims of gender violence, amend the definition of sexual exploitation and forced prostitution and strengthen the protection of children against offences affecting their sexual freedom. The reform would also define the crime of enforced disappearance as a separate offence.

11. Regarding the implementation of the recommendations received in 2010, the delegation noted that the Government intended to adopt, further to consultations, a new national human rights plan with a longer time span, making it a State policy. Furthermore, since its first UPR, Spain had adopted, implemented or advanced the development of various specific plans such as the Strategic Plan on Equality of Opportunity for the period 2014–2016.

12. The delegation considered that the eradication of gender-based violence would only be achieved through the fight for equality. Spain had established a data-collecting system on gender-based violence that was considered to be a model and the Government maintained a zero tolerance policy on gender-based violence.

13. An important group of recommendations received in 2010 related to racial discrimination and xenophobia. The delegation stated that Spain had adopted, in November 2011, the Comprehensive Strategy against Racism, Racial Discrimination, Xenophobia and Related Forms of Intolerance. A Map of Discrimination in the country was being developed, to improve data collection and official statistics regarding incidents and crimes involving discrimination. The training of State security forces had been enhanced, to assist them in identifying racist and xenophobic incidents. An independent department providing assistance for victims of discrimination on grounds of racial or ethnic origin had also been established.

14. The delegation stated that the migrant holding centres were not penitentiary facilities and that people in those centres were always held according to judicial authorization and under judicial oversight. New rules of procedure had also been adopted in March 2014, incorporating a series of guarantees.

15. The autonomous cities of Ceuta and Melilla were under extraordinary migratory pressure. The temporary migrant reception centres, which operated under an open regime, provided basic social services to illegal immigrants and asylum seekers. The Government was undertaking reforms in the reception centres in response to the ever-increasing number of arrivals. Additionally, the Government had decided to establish refugee offices at the Ceuta and Melilla border posts to process asylum applications in situ.

16. Regarding the fight against torture, the delegation recalled that the Ombudsman performed the function of a national preventive mechanism and that, in the context of the ongoing reform of the Criminal Procedure Law, increased safeguards against torture and ill-treatment had been incorporated.

17. Despite the economic crisis, the Government was trying to secure access to justice for the most vulnerable, in particular through the draft Law on the Statute of Victims, which provided a global response, both legal and social, to the needs of the victims of crime, and an extensive list of victims' rights.

18. The Government was aware of the serious impact of the economic crisis on children. Child poverty rates had always been comparatively high in Spain, but the decline in household income, as a result of the economic crisis and the impact of unemployment on families, constituted a burden which the Government was striving to address.

19. On the right to education, the delegation noted that the investment rate per pupil in public education, the student-teacher ratio and the percentage of expenditure on child public education were relatively high compared to the equivalents in neighbouring countries. Additionally, the Act on the Improvement of Educational Quality (Organic Act No. 8/2013) had been adopted in December 2013, with the aim of reducing the rate of early dropout from school, improving educational standards in accordance with international benchmarks and enhancing the employability and entrepreneurship of students.

20. With regard to the right to health, in 2012 the Government had initiated a reform to guarantee the sustainability of the national health system, under which health care in emergency situations, during pregnancy, childbirth and the postnatal period, and for those under 18 is guaranteed for undocumented immigrants under the same conditions as for Spanish citizens.

21. In conclusion, the delegation noted that Spain had an advanced legal and institutional framework but that its implementation required improvements. To achieve this, it was necessary to exert the political will—which was present—and obtain the necessary resources, which were scarce owing to the financial crisis and budgetary restrictions. As evidence of its political will, the Government had announced initial measures to reverse the effects of the restrictions for the most vulnerable groups, such as the enactment, on 1 January 2015, of a tax reform which involved a general reduction in income tax for individuals, particularly for lower-income taxpayers. In addition, the social expenditure foreseen for 2015 represented 53.9 per cent of the Government's budget.

B. Interactive dialogue and responses by the State under review

22. During the interactive dialogue, 88 delegations made statements. Recommendations made during the dialogue can be found in section II of the present report.

23. Indonesia appreciated the role of Spain in promoting interfaith and intercultural dialogue through the Alliance of Civilizations, the establishment of provincial hate crime departments and the Comprehensive Strategy against Racism.

24. The Islamic Republic of Iran expressed concern over a number of human rights violations, including continued racial discrimination against minorities, in particular Muslims.

25. Ireland noted the adoption of the National Strategy for the Elimination of Violence against Women and steps taken to improve legal safeguards for detainees through the 2011 Criminal Procedure Bill.

26. Israel expressed concern about the obstacles faced by the children of illegal immigrants in accessing education and health, as well as the excessive use of force in border areas.

27. Italy commended the Spanish authorities on the institution of the post of National Rapporteur on human trafficking and enquired about the status of the review of the new National Human Rights Plan by parliament.

28. Japan was encouraged to see that the present administration continued to give importance to human rights and to hear that it was considering a new national human rights plan.

29. Jordan commended Spain for the improvements made in the legislative framework, such as the reform of the Criminal Code and the adoption of the second Strategic Plan for Citizenship and Integration.

30. Kuwait commended Spain for its improvement of the legislative framework by making some amendments to guarantee the protection and promotion of human rights. Kuwait also appreciated policies adopted to ensure equal opportunities.

31. Lebanon noted the implementation of the Historical Memory Act. It commended the Comprehensive Strategy against Racism, Racial Discrimination and Xenophobia and the establishment of hate crimes and discrimination departments in provincial public prosecutors' offices.

32. Libya wished success to Spain in its efforts to ensure the protection and promotion of human rights.

33. Malaysia acknowledged the significant achievements made by Spain, including in the area of combating gender-based violence, and also indicated the remaining challenges related to the impact of the economic crisis.

34. Mauritania noted progress in combating discrimination against women, protecting the rights of migrants and combating racism and xenophobia. Mauritania praised the law to improve the quality of education.

35. Mexico recognized advances vis-à-vis the first cycle, including gender equality in labour and noted the ongoing challenges, especially regarding economic, social and cultural rights.

36. Montenegro noted that the Committee on Economic, Social and Cultural Rights and the Committee on Racial Discrimination had expressed concerns at the persistent discrimination against the Gypsy community in daily life.

37. Morocco welcomed the planned reform of the Penal Code to strengthen the fight against trafficking in persons, discrimination, xenophobia and racism, and the attachment of Spain to the dialogue among civilizations.

38. Myanmar noted with appreciation that Spain had adopted several plans and measures to promote and protect human rights and that progress was being made in their implementation.

39. Namibia commended Spain on the adoption of the Strategic Plan for Equality of Opportunity 2014–2016, and trusted that the various auxiliary plans would ensure its implementation.

40. The Netherlands commended the finalization of the Action Plan on Business and Human Rights but remained concerned by limited improvement in preventing criminal offences by police officers and protecting victims of gender-based violence.

41. Nicaragua welcomed legislative, including penal, reforms to strengthen the protection of human rights, and expressed concern about the situation of migrants in Spain, especially women and children.

42. Norway welcomed the efforts made to deal with the extraordinary migratory pressures in Ceuta and Melilla and asked about the response of Spain to concerns regarding the fairness and efficiency of asylum procedures.

43. Pakistan noted as encouraging that Spain had made efforts to implement recommendations received during the first cycle of the UPR.

44. Panama congratulated Spain for the ratification of several international conventions since its first UPR.

45. Paraguay appreciated the financial support to OHCHR and the open invitation to all special procedures, and welcomed programmes on eliminating discrimination and gender-based violence.

46. The Philippines noted positive developments in the fight against trafficking and the elimination of gender-based violence. It remained concerned at alleged discrimination and ill-treatment of unaccompanied migrant children as reported by United Nations mechanisms.

47. Poland commended the efforts of Spain with regard to the adoption of international human rights law and standards and the amendments to the Criminal Code with a view to combating discrimination, racism and xenophobia.

48. Portugal welcomed the determination of Spain in combating violence against women and in promoting gender equality, noting the adoption of the National Strategy for the Elimination of Violence against Women.

49. Qatar appreciated strategies to promote the rights of children with disabilities and the rights of women, the establishment of a rapporteur on trafficking and the participation of Spain in the Alliance of Civilizations.

50. The Republic of Korea welcomed the establishment of a hate crime department in provincial prosecutors' offices and the Rapporteur on human trafficking, and the inclusion of human rights in school curricula.

51. The Republic of Moldova noted significant steps to combat human trafficking and asked for more information on preparing a second plan against trafficking for the purposes of sexual exploitation.

52. Romania commended Spain for the submission of a mid-term report and noted that, following a peaceful transition, the country had built a vibrant democracy that had stood up to the challenges of terrorism and to an economic crisis.

53. The Russian Federation welcomed the efforts of the Government to protect human rights, including the implementation of UPR recommendations. It noted violations of migrants' rights and prison overcrowding.

54. The Spanish delegation welcomed the references made by several delegations to the Alliance of Civilizations, a Spanish-Turkish initiative in its origins, as well as to the Business and Human Rights Plan, and expressed thanks for the cooperation of several countries in its preparation. In response to questions on discrimination, racism and xenophobia, the Spanish delegation mentioned that, under the strategy to combat racism and xenophobia, a series of activities for prevention and detection had been developed, such as the Annual Report on Racism and Xenophobia. Training, public policies and institutional cooperation had also been strengthened.

55. Regarding the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the delegation recalled that the Spanish Constitution and legislation guaranteed the rights of migrants. Spain followed the European Union position on the matter.

56. Regarding the fight against gender-based violence, the Spanish policy was based on promoting responsible, united and sustained action with the participation of all public institutions and civil society associations. Measures taken in the previous few years were the creation of the Observatory for domestic gender-based violence, the adoption of gender based laws, and the International Strategy to eradicate Violence Against Women 2013–2016. The delegation also mentioned efforts to improve the training of police officers, health-care professionals, social workers and judicial officers with a victim's approach. With regard to the judiciary, the delegation recalled the reform of the Penal Code and a draft law on the legal status of victims. Spain was also working to enhance the visibility of other forms of violence, such as trafficking and the sexual exploitation of women and girls, female genital mutilation and forced marriage.

57. Concerning the migration situation in the autonomous cities of Ceuta and Melilla, the delegation stated that there were two different legal proceedings established by law regarding the return of foreigners who had entered Spanish territory. Both respected a series of guarantees, such as the right to request international protection, the provision of free legal aid, access to interpreters and non-return in the case of pregnant women where health risks were involved. The delegation added that operations to prevent the entry of foreigners into Spain were a different situation, which occurred during border patrols in Ceuta and Melilla. Denials of entry were exerted by Spain as a sovereign right within the framework of its obligations as a member of the European Union. The delegation of Spain informed the Working Group that attempts to enter Spain by those borders were ongoing, on a mass scale and violent and that they constituted a problem of internal security and public order. In any intervention, the authorities always took into consideration the principle of proportionality and opportunity and the possibility that among the people concerned, there could be persons in a vulnerable situation who required assistance.

58. The delegation referred to a question related to the incorporation of a provision in the Protection of Public Safety Bill to amend the Migration Law. The purpose of the amendment was to recognize the specificity of Ceuta and Melilla from the geographical, border and security perspectives. The amendment was being debated in parliament, including consultations with international expert bodies. The amendment, if adopted, would comply with international obligations regarding access to international protection and non-refoulement.

59. Rwanda appreciated the policies adopted to promote equality of opportunity for women and the laws and policies on the sexual exploitation of children and adolescents and on trafficking in persons.

60. Senegal welcomed the various initiatives taken for the implementation of the recommendations made in the first cycle, especially on violence against women, the situation of rural women, equal opportunities and education.

61. Serbia noted with satisfaction the comprehensive national report of Spain and its cooperation with the Ombudsman and other representatives of civil society.

62. Sierra Leone commended the drawing up of a Framework Protocol for the Protection of Victims of Trafficking and the recent appointment of a National Rapporteur on human trafficking.

63. Slovakia acknowledged efforts to eliminate gender discrimination and combat human trafficking and asked for more information on the training of prosecutors working in the field of combating racism.

64. Slovenia welcomed information on institutional strengthening in the area of hate speech and discrimination and the stated intention to restore social protection measures and assistance to those most disadvantaged by the financial crisis.

65. Sri Lanka acknowledged measures addressing hate crime and combating human trafficking and encouraged Spain to safeguard the rights of the most vulnerable population groups through focused social assistance and income support.

66. The Sudan welcomed the adoption of the Strategic Plans for Equality of Opportunity 2014–2016 and for Citizenship and Integration and the Strategy for the Elimination of Violence against Women 2013–2016.

67. Sweden expressed concern that the Law on Protection of Public Security could restrict the citizen's ability to publicly protest and legalize summary expulsions of migrants crossing from Morocco to Ceuta and Melilla.

68. Switzerland commended the engagement of Spain in combating violence against women. It also noted that the Franco era remained challenging in political and social life. Concern regarding the behaviour of the police during peaceful protests was expressed.

69. Thailand welcomed the Strategy for the Elimination of Violence against Women and invited Spain to provide redress and assistance to victims. Thailand encouraged Spain to respect the human rights of migrants.

70. The former Yugoslav Republic of Macedonia commended the establishment of a hate crime and discrimination department in each provincial prosecutor's office and the 2010 reforms to the Criminal Code.

71. Timor-Leste welcomed the initiatives to combat human trafficking and to support its victims, and the adoption of the National Strategy for the Social Inclusion of the Gypsy Population.

72. Togo appreciated the establishment of special departments for hate crimes and discrimination in all provincial prosecutors' offices. It expressed concern about racial profiling of migrants belonging to ethnic and religious minorities.

73. Trinidad and Tobago commended the active international engagement of Spain on human rights and noted that the economic crisis affected the capacity of Spain to expand its development cooperation.

74. Tunisia took note of measures taken since the 2010 UPR, including the creation of the Office of the National Rapporteur on human trafficking and special units for offences motivated by hate and discrimination in provincial prosecutor's offices.

75. Turkey welcomed official statements underlining the multiculturalism of Spain. Turkey believed that the Alliance of Civilizations had become more relevant and supported the International Commission against the Death Penalty, which had been initiated by Spain.

76. Ukraine commended endeavours in the field of human trafficking and hate crime and the adoption of the Plan for Equality of Opportunity. Ukraine encouraged Spain to finalize the Child Protection Bill.

77. The United Kingdom of Great Britain and Northern Ireland commended reforms to improve women's access to legal services and welcomed positive steps to ensure freedom of religion and belief and the protection of ethnic minorities.

78. The United States of America commended the promotion of the rights of lesbian, gay, bisexual and transgender people (LGBT), efforts to fight trafficking in persons and steps taken towards Roma inclusion. It remained concerned about official corruption, undermining faith in judicial institutions.

79. Uruguay noted with satisfaction steps to fight human trafficking and encouraged Spain to increase its efforts regarding the special attention required by children victims or potential victims.

80. The Bolivarian Republic of Venezuela recognized the active participation of Spain in international human rights forums, while noting the impact of the economic crisis on the quality of life of Spanish people.

81. Commending the reform of the Criminal Code, Albania asked about the envisaged amendment to the Criminal Code to strengthen protection for victims of gender-based violence.

82. Algeria commended measures against racial discrimination and incitement to racial hatred. Steps regarding migrants' integration were encouraged further. It appreciated national and European coordination reinforcement on human trafficking.

83. Angola commended the ratification by Spain of most human rights instruments. It appreciated its efforts to respect international engagements with regard to the rights of migrants, their families and persons with disabilities.

84. Argentina welcomed the efforts of Spain to comply with the recommendations received during its first UPR, and praised the adoption of the Plan for the Inclusion of Pupils and Students with Special Education Needs.

85. Armenia welcomed steps taken to combat hate crimes, eliminate racial discrimination and combat trafficking in persons. Armenia highly appreciated measures adopted to implement the 2007 Historical Memory Act.

86. Australia encouraged Spain to implement its second Human Rights Plan. Australia welcomed the support of Spain for its LGBT community and acknowledged the challenges of reconciling border security, immigration policies and human rights obligations.

87. Austria was concerned about a bill to legalize automatic returns of people trying to cross border fences in Ceuta and Melilla. It noted that the reception conditions in those cities remained below minimum standards.

88. Azerbaijan welcomed the establishment of the post of National Rapporteur on human trafficking. It noted that some United Nations treaty bodies had expressed their concerns as to the existence of problems related to discrimination.

89. Bahrain welcomed measures to combat racial discrimination and xenophobia. Bahrain commended the Alliance of Civilizations initiative. Bahrain asked for more information on assistance to victims of trafficking.

90. Bangladesh appreciated the co-hosting by Spain of the Alliance of Civilizations and its efforts to eliminate discrimination against women. It expressed its concern regarding discrimination against migrants and Roma, and hate speech and xenophobic discourse among politicians.

91. Benin welcomed the ratification of the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse and the creation of a national council of victims of hate crimes.

92. Brazil welcomed legislative improvements on the rights of the child, in line with the recommendation made by Brazil during the first cycle. It reiterated the need to enhance protection of the human rights of migrants.

93. The Spanish delegation responded to questions that were raised during the interactive dialogue or sent in advance.

94. The General Law on the Rights of Persons with Disabilities unified the existing legislation on the subject and included the mainstreaming of disability policies. In the area of education, during the period 2012–2013, the percentage of people who received educational attention different from the ordinary amounted to 5.3 per cent of all students. In

addition, Spain paid special attention to access to university for people with disabilities, for whom there was exemption of fees and payments.

95. Regarding the gypsy population, in the previous 40 years there had been significant social progress. For instance, in primary education, nearly 100 per cent of Gypsy children were in school. However, Spain was still struggling with some ongoing challenges, such as school early dropout and the segregation of some education centres.

96. In response to comments from delegations, the Spanish delegation reported on the efforts on capacity-building for judges, prosecutors and other members of the investigative teams in the fight against gender violence.

97. In recent years the State had adopted regulations to promote equality in employment for women and men, to encourage a better balance between work and family, and sharing of responsibility. The measures adopted in 2014 to combat unemployment were of particular relevance owing to the fact that unemployment was higher among women.

98. In 2014, the Government had adopted a protocol on certain actions in relation to unaccompanied children arriving in Spanish territory, aimed at better coordination between concerned institutions and administrations. During their stay in the country, minors under Spanish protection were always considered legal residents. Once they reached adulthood they could renew their residence and work permits if they met the conditions established by law, which were more favourable than the general provisions on this matter.

99. In the near future the Government was expected to adopt a comprehensive plan to combat trafficking for sexual exploitation and to develop a protocol for the protection of victims of trafficking in human beings in order to better coordinate the action of the institutions and administrations concerned.

100. The delegation recalled that the regime of incommunicado detention was exceptional, applied for terrorist offences only, and could only be established by a judge or tribunal through a reasoned decision, for the period of time that was strictly necessary. The regime was under review within the framework of the reform of the law of criminal procedure.

101. In recent years the Government had adopted temporary and structural measures to address problems regarding mortgage debts. The temporary measures were taken to protect persons who, as a result of the crisis, were no longer able to meet the obligations arising from their mortgage loans to acquire homes and were in a situation of vulnerability. The structural measures introduced limits to interest rates on arrears and improved auction procedures in case debts remained after the sale in order to write them off.

102. Bulgaria appreciated recent ratifications, the establishment of the council of victims of hate crimes and of the Rapporteur on human trafficking and the adoption of strategies on equality of opportunity and against racism.

103. Canada welcomed the Strategy for the Elimination of Violence against Women and encouraged that the strategy address other forms of discrimination against female victims from migrant and disabled communities.

104. Chad welcomed the implementation of the previous recommendations and recalled the legal and institutional frameworks for the promotion and protection of human rights.

105. Chile acknowledged the participation of civil society in the preparation of the national report. It noted the effects of the crisis and welcomed the efforts to address its consequences for human rights protection.

106. China appreciated the efforts of Spain in the promotion of equal opportunities for men and women, the combat against sexual exploitation and the health-care reform. China welcomed the efforts on anti-racial-discrimination.

107. The Congo commended the establishment of a National Council on victims of hate crime. It noted the improvement of the legal framework for human trafficking, organ trafficking and forced marriages.

108. Costa Rica underscored the efforts by Spain to achieve the international abolition of the death penalty, and stated that its role in the creation of the International Commission against the Death Penalty was commendable.

109. Côte d'Ivoire commended human rights reforms, namely article 59bis of the Aliens Act on human trafficking (2010) and the adoption of a Protocol to protect victims of trafficking (2011).

110. Cuba noted the implications of austerity measures on the human rights situation. It invited Spain to further work to combat unemployment, poverty, evictions, hate speech and racial discrimination.

111. Cyprus welcomed initiatives to combat human trafficking, including the establishment of the Rapporteur, and to eliminate all forms of discrimination. Cyprus welcomed efforts to tackle racism and facilitate the integration of immigrants.

112. The Czech Republic appreciated the information on the implementation of previous UPR recommendations and the response of Spain to some advance questions.

113. Ecuador acknowledged efforts to comply with previous recommendations, including the ratification of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, the Human Rights Plan assessment and measures to overcome the economic crisis.

114. Egypt welcomed the establishment of provincial discrimination departments and the continued commitment of Spain to women's rights. It recognized the difficulties resulting from the financial and economic crisis with regard to social protection and promotion of human rights.

115. Estonia highlighted the commitment of Spain to combating human trafficking and the prioritization of the elimination of violence against women. Estonia seconded the suggestion by the United Nations Educational, Scientific and Cultural Organization (UNESCO) that the Government pursue efforts to ensure the rights of all children to an inclusive education.

116. France welcomed the hate crime departments in provincial prosecutor's offices and plans to combat gender discrimination. It noted the impunity for crimes perpetrated during the civil war and dictatorship.

117. Gabon appreciated the measures regarding the fight against gender-based discrimination, notably policies favouring equal opportunities within the professional sphere and those on fighting violence against women.

118. Germany welcomed improvements in the institutional framework and appreciated civil society's involvement in the preparation of the national report. It praised the creation of the post of National Rapporteur on human trafficking.

119. Ghana commended various measures addressing hate crime and discrimination, human trafficking, racism, xenophobia and gender violence. It expressed concern about discrimination against migrants, and instances of racist stereotypes and prejudices in the media.

120. Greece commended the ratification of most international instruments and the ongoing cooperation with the special procedures. It welcomed the improvements in the legal framework regarding persons with disabilities.

121. Guatemala welcomed the hate crimes and discrimination departments within provincial prosecutor's offices. It expressed concern at the situation of migrant women and the lack of equality before the law of foreigners.

122. Honduras welcomed the hate crimes and discrimination departments within local prosecutor's offices and the new legislation on human trafficking, forced marriage and enforced disappearances.

123. Hungary noted numerous achievements since the first review of Spain, notwithstanding economic and financial difficulties. Hungary recalled that in 2010 Spain had accepted three recommendations it had put forward, and that were being implemented.

124. India welcomed the adoption of the Strategy for the Social Inclusion of the Gypsy Population. India referred to concerns at the practice of incommunicado detention and encouraged Spain to share information on acts of ethnic profiling.

125. Highlighting its commitment to the international human rights normative framework, the Spanish delegation mentioned the following instruments to which Spain had recently become a party: the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, the Optional Protocol to the Convention on the Rights of the Child on a communications procedure, the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) and the Council of Europe Convention against Trafficking in Human Organs.

126. The delegation emphasized that its institutional commitment was shown by the active support and participation of Spain in the UPR and in all the work of the Human Rights Council, of which Spain had been a member between 2011 and 2013. The membership of Spain in the Security Council from January 2015 was considered to be another opportunity to promote and defend human rights at the multilateral level.

127. The delegation recalled some of the foreign policy priorities of Spain in the area of human rights: the fight against the death penalty and the promotion of a universal moratorium as a first step towards abolition; the fight against gender-based discrimination and discrimination based on sexual orientation; the human right to water and sanitation; the rights of persons with disabilities; business and human rights; and human rights defenders.

128. Each recommendation received would be carefully studied to with a view to setting forth, within a reasonable time frame, the position of the Government. The delegation stated that it would use the right not to express a position immediately, being aware of the importance of thoroughly analysing which commitments could be undertaken.

129. The delegation pointed out that many of the recommendations and questions received arose from the impact of the fiscal adjustment measures taken to combat the economic and financial crisis. It reiterated that the Government was fully aware of the sacrifices that those measures had involved for many people and that it had taken special care to respecting the criteria of necessity, timeliness, non-regression and non-discrimination.

130. The delegation concluded by reiterating its commitment to the universal periodic review.

II. Conclusions and/or recommendations**

131. **The following recommendations will be examined by Spain, which will provide responses in due time, but no later than the twenty-ninth session of the Human Rights Council, to be held from 15 June to 3 July 2015:**

131.1. **Ratify the International Convention on the Rights of Migrant Workers and Members of Their Families (ICRMW), as previously recommended (Indonesia);**

131.2. **Continue to consider ratification of ICRMW (Nicaragua);**

131.3. **Consider taking specific steps towards accession to the migrant workers' rights convention or the ICRMW (Philippines);**

131.4. **Consider the possibility of ratifying ICRMW (1990), and acceding to the Convention on the Reduction of Statelessness (1961) (Ecuador);**

131.5. **Consider ratifying ICRMW (Rwanda) (Sri Lanka);**

131.6. **Ratify ICRMW, as a fundamental step towards the protection of human rights in the country (Guatemala);**

131.7. **Accede to ICRMW (Sudan);**

131.8. **Ratify ICRMW (Algeria) (Benin) (Côte d'Ivoire) (Gabon) (Ghana) (Honduras) (Iran (Islamic Republic of)) (Paraguay) (Senegal) (Sierra Leone) (Timor-Leste) (Turkey) (Venezuela (Bolivarian Republic of));**

131.9. **Accede to the Convention on the Reduction of Statelessness (Azerbaijan) (Paraguay) (Portugal);**

131.10. **Promote the establishment of an inter-ministerial committee on human rights in order to further improve coordination between the various national administrations and increase the effectiveness of the Human Rights Office (Italy);**

131.11. **Consider establishing an inter-ministerial committee responsible for the implementation of its international human rights obligations, inter alia, for coordinating the drafting of the national reports to the treaty bodies and for organizing country visits by the Human Rights Council's special procedures (Portugal);**

131.12. **Install a high-ranking governmental working group on human rights to ascertain the smooth cooperation and coordination of inter-ministerial work in the field of human rights (Germany);**

131.13. **Consider the possibility of establishing a public monitoring system of international recommendations to facilitate the systematization and follow-up of the recommendations of treaty bodies and mechanisms of the Human Rights Council (Paraguay);**

131.14. **Continue the good practice of having a national Human Rights Plan by formulating a comprehensive plan of action or strategy (Indonesia);**

** The conclusions and recommendations have not been edited.

131.15. **Proceed to the development of a new National Human Rights Plan and implement the National Strategy for the Elimination of Violence against Women (Greece);**

131.16. **Consider developing human rights indicators as suggested by OHCHR as an instrument that allows for a more precise and coherent evaluation of national human rights policies (Portugal);**

131.17. **Pursue particular efforts to spread awareness of human rights and disseminate its principles among its citizens (Kuwait);**

131.18. **Make an assessment, by the end of 2016, of the actions undertaken in the framework of the various strategic plans on the protection of women and children (France);**

131.19. **Intensify efforts to foster national unity and harmony, including by promoting dialogue among societies of different ethnicity and faith (Malaysia);**

131.20. **Step up efforts within the framework of the Alliance of Civilizations for the promotion of the dialogue and rapprochement between religions and peoples (Morocco);**

131.21. **Consider the Caribbean region among those geographical areas of priority for the overseas and international development cooperation programmes that have been newly prioritized as a consequence of Spain's belt-tightening in face of the economic crisis (Trinidad and Tobago);**

131.22. **Continue the cooperation with the United Nations in the area of human rights (Romania);**

131.23. **Submit its overdue report to the Committee on the Elimination of Racial Discrimination (Sierra Leone);**

131.24. **Encourage closer civil society participation in the follow-up to the recommendations of the Human Rights Council (Trinidad and Tobago);**

131.25. **Implement the Strategic Plan on Equality of Opportunity 2014–2016 with the aim to eliminate any remaining gender-based discrimination (Montenegro);**

131.26. **Continue the implementation of the Strategic Plan on Equality of Opportunity 2014–2016 to achieve equal opportunity for women and men, in particular to reduce the pay gap (Myanmar);**

131.27. **Continue implementing the measures provided in the Strategic Plan on Equality of Opportunity 2014-2016 (Albania);**

131.28. **Continue its efforts to implement the adopted Strategies to eliminate any remaining gender-based discrimination (Sudan);**

131.29. **Continue with efforts for mainstreaming of gender equality into laws and policies and assign sufficient resources for the implementation of the Law on comprehensive protection measures against gender-based violence (Serbia);**

131.30. **Consider adopting new legislation that compels public companies to reserve a quota of their non-executive board seats for women (Italy);**

131.31. **Continue efforts aimed at reinforcing women's access to positions of responsibility and decision-making (Morocco);**

131.32. **Increase women in decision-making process (Rwanda);**

131.33. **Close gender gaps by promoting and monitoring the equal representation of women in decision-making positions (Sierra Leone);**

131.34. **Promote vigorously the participation of women in decision-making positions, both in the public and private sectors (Ghana);**

131.35. **Enhance legislation in the field of racial discrimination, racism and hatred of foreigners (Lebanon);**

131.36. **Further strengthen measures, including existing legislation, to prevent and combat racism, racial discrimination, xenophobia and related forms of intolerance, and continue to improve national statistics (Brazil);**

131.37. **Strengthen legislation against discrimination by adopting a comprehensive law against racism, racial discrimination, xenophobia and related intolerance (Côte d'Ivoire);**

131.38. **Redouble its efforts in combating contemporary forms of racism, racial discrimination, xenophobia and related intolerance including criminalizing hate speech, and all forms of incitement to hatred and violence (Malaysia);**

131.39. **Improve policies against discrimination through legislation regulating hate crimes, racism, xenophobia and anti-Semitism (Israel);**

131.40. **Continue efforts to enhance the work of departments in relation to hate crimes and discrimination (Qatar);**

131.41. **Strengthen measures taken to combat hate speech/discourse (Bahrain);**

131.42. **Take effective measures to curb racial hatred and religious intolerance, hate speech and xenophobic discourses (Bangladesh);**

131.43. **Do all its best in order to put an end to hatred speech based on xenophobia and try to do all it can in order to tackle this matter within the institutions of the entire country (Libya);**

131.44. **Enhance efforts to combat discrimination against minority groups in the country, by effectively investigating and adequately punishing any racially motivated conduct (Namibia);**

131.45. **Provide full access to justice to people belonging to racial and religious minorities and to combat racial and religious profiling and strengthen anti-discrimination legislation through adoption of a comprehensive law on racism, racial discrimination, xenophobia and related intolerances which addresses hate speech and includes measures to effectively investigate and prosecute such offences (Pakistan);**

131.46. **Ensure that all racist behaviour is effectively investigated and duly punished (Togo);**

131.47. **Continue to strengthen the combat against racial discrimination and intolerance in all manifestations and protect the legitimate rights of the migrants and minority groups (China);**

131.48. **Strengthen the measures against discrimination, racism and xenophobia manifested in the field of employment, access to housing and education with regard to foreigners and minorities (Gabon);**

131.49. **Undertake measures to put an end to ethnic and racial profiling and all forms of racial discrimination (Ghana);**

131.50. **Take effective measures to put an end to ethnic and racial profiling (India);**

131.51. **Combat discriminatory behaviour by members of the law enforcement forces and ensure that any racially-motivated misconduct is effectively investigated and adequately punished (Iran (Islamic Republic of));**

131.52. **Adopt legislative, judicial and administrative measures to ensure the right to an effective remedy for anyone who claims to have been subjected to torture or other ill-treatment and to provide the necessary administrative and judicial framework to prevent impunity for officers charged with such crimes (Netherlands);**

131.53. **Adopt legislative, judicial and administrative measures to ensure effective remedy for torture and ill-treatment and strengthen its framework to prosecute such crimes (Australia);**

131.54. **Ensure the diligent investigation of allegations of excessive use of force by its own security and militia (Israel);**

131.55. **Ensure that all allegations of torture and other ill-treatment perpetrated by security services are subject to impartial and independent investigations by the ordinary civil justice without delay, and ensure that victims receive reparations (France);**

131.56. **Ensure effective monitoring of detention and custody procedures by the law enforcement forces (Poland);**

131.57. **Establish a control mechanism for the police authorities with regard to signs of possible torture and ill-treatment committed by individual members (Germany);**

131.58. **Elaborate further concrete, meaningful practical measures and mechanisms that effectively prevent any ill-treatment by the police and prison guards, including the possibility of revision of the practice of incommunicado detention (Hungary);**

131.59. **Abolish incommunicado detention, and ensure that all suspects in police custody have prompt and immediate access to a lawyer (Iran);**

131.60. **Review the incommunicado detention regime to ensure compliance with international human rights law (Ireland);**

131.61. **Abolish the use of incommunicado detention and torture and ensure that all suspects in police custody have prompt access to a lawyer at the outset of detention (Pakistan);**

131.62. **Review the incommunicado detention regime by ensuring that access to legal assistance upon detention is not delayed, that detainees have the possibility to communicate with a lawyer of their own choice in private and that they are brought in front of a judge within 72 hours (Austria);**

131.63. **Review the compliance of its anti-terrorism legislation allowing for incommunicado detention with international human rights standards and consider abolishing the incommunicado regime (Czech Republic);**

131.64. **Adopt a national strategy to improve the conditions in the penitentiary system (Russian Federation);**

131.65. **Strengthen measures toward eliminating violence against women, including domestic violence (Japan);**

131.66. **Continue its efforts in combating gender-based violence, particularly on women with disabilities, through effective implementation of its National Strategy for the Elimination of Violence against Women 2013–2016 (Malaysia);**

131.67. **Take all necessary measures to eliminate gender-based violence, including violence against foreign women, and to assess the workings of the relevant specialized courts in this regard (Namibia);**

131.68. **Continue its efforts to eradicate gender-based violence and to ensure the advancement of women in decision-making positions in all sectors (Republic of Korea);**

131.69. **Continue to adopt all legislative and executive measures against gender-based violence, with special attention to migrant victims (Sri Lanka);**

131.70. **Strengthen its protection programme against sexual and sexist violence, with a focus on the availability, accessibility and quality of protection measures, and ensure the full enjoyment of sexual and reproductive rights (Switzerland);**

131.71. **Carry out an evaluation into the obstacles victims of gender-based violence experience in accessing effective protection, justice and reparation and the causes which prevent them from filing a complaint (Netherlands);**

131.72. **Undertake an evaluation of the operation of the specialized courts on violence against women, identify and encourage best practice (Ireland);**

131.73. **Ensure the effective training of the judicial bodies in charge of investigating cases of gender-based violence (Slovakia);**

131.74. **Ensure that all judicial bodies carrying out investigations into gender-based violence receive specialized training in order to meet the requirements of the Organic Law on Comprehensive Protection Measures against Gender Violence (United Kingdom of Great Britain and Northern Ireland);**

131.75. **Adopt a new bill amending the Criminal Code on the issues of gender-based violence, human trafficking, sexual exploitation and forced marriage (Ukraine);**

131.76. **Foster strong coordination among the Ministries of Health, Justice and Interior through a formal mechanism to combat gender-based violence and ensure judicial, law enforcement, and other officials are properly trained on all forms of gender-based violence and discrimination (United States of America);**

131.77. **Strengthen the measures to combat violence against women (Timor-Leste);**

131.78. **Implement fully its National Strategy for the Elimination of Violence against Women (2013–2016) (Australia);**

131.79. **Apply stronger measures to combat violence against women, as a follow-up to the National Strategy for the Elimination of Violence against Women 2013–2016 (Cuba);**

131.80. **Strengthen the measures on combating domestic and other forms of gender-based violence (Azerbaijan);**

131.81. **Strengthen the measures to combat violence against women, especially domestic violence (India);**

131.82. **Ensure the allocation of adequate resources for the implementation of Organic Law 1/2004 on measures of protection against gender violence, giving special attention to its accessibility through a national action plan (Chile);**

131.83. **Redouble efforts aimed at combating violence against women and children, especially those with disabilities (Ghana);**

131.84. **Continue efforts aimed at promoting rights of children, in particular migrant children and victims of sexual violence and abuse (Ukraine);**

131.85. **Combat effectively violence against children resulting from the sexual abuse of minors (Iran (Islamic republic of));**

131.86. **Step up efforts to fight unlawful treatment of and violence against children, including sexual abuse (Russian Federation);**

131.87. **Continue improving combating of trafficking in persons (Lebanon);**

131.88. **Increase international and regional cooperation with regard to the issue of trafficking in persons (Qatar);**

131.89. **Continue to combat trafficking in human beings (Romania);**

131.90. **Improve the procedures used to identify victims and to address the special needs of child victims of trafficking (Albania);**

131.91. **Continue to take measures to combat trafficking of persons (Armenia);**

131.92. **Implement a new plan against people trafficking for sexual exploitation as soon as possible (Australia);**

131.93. **Continue its efforts regarding human trafficking for sexual exploitation, and consider drafting a new version of the comprehensive plan to fight trafficking for sexual exploitation (France);**

131.94. **Strengthen efforts to promote a transparent political system by streamlining judicial procedures to investigate and prosecute corruption expeditiously (United States of America);**

131.95. **Review the reform of the national justice system of early 2014, in particular with the aim of ensuring and enforcing the principle of universality of international human rights law (Germany);**

131.96. **Consider adopting the principle of restorative justice, with its alternative sentencing, in the juvenile justice system (Indonesia);**

131.97. **Continue the implementation of the Historical Memory Act despite the economic crisis (Lebanon);**

131.98. **Develop a comprehensive and inclusive strategy to deal with the past, based on the rights of victims and the obligations of States, namely justice, reparation and guarantees of non-repetition (Switzerland);**

131.99. **Continue its efforts in addressing historical injustices and protecting the rights of the victims of such injustices, both at the national and international levels (Armenia);**

131.100. **Use comparative studies to address the challenges posed by the investigation of international law crimes committed during the Civil War and**

the Franco regime, in line with the recommendations of the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence (Chile);

131.101. **Take all necessary measures in order to make sure that cases of enforced disappearance are only addressed by the civilian courts and not special ones such as military courts (Libya);**

131.102. **Adopt legislative or other necessary measures to establish a definition of victim consistent with article 24, paragraph 1, of the International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED)and ensure that any person who has suffered direct harm as a result of an enforced disappearance can receive all compensation and redress measures established under the law, even if criminal proceedings have not been initiated (Panama);**

131.103. **Fully address the issue of enforced disappearances in close cooperation with human rights mechanisms (Republic of Korea);**

131.104. **Adopt appropriate legislative or judicial measures to criminalize enforced disappearance, in accordance to the provisions of ICPPED and promote changes in the internal order which enable enforced disappearances to be investigated thoroughly and impartially (Argentina);**

131.105. **Ensure the minimum age of marriage for children disallows early marriage (Sierra Leone);**

131.106. **Eliminate child marriages and increase the minimum age for marriage under exceptional circumstances (Azerbaijan);**

131.107. **Guarantee that the right to worship of minorities, including Muslims, is fully respected in practice (Iran (Islamic Republic of));**

131.108. **Decriminalize defamation and place it within the civil code in accordance with international standards (Estonia);**

131.109. **Strengthen the Government's commitment to ensuring fundamental rights of freedom of expression, peaceful assembly and association, and continue its cooperation with civil society, particularly with human rights defenders, by investing further efforts in creating a favourable environment for the members of the civil society organizations (Serbia);**

131.110. **Avoid any legislative amendments which would disproportionately limit the exercise of the right to freedom of assembly (Sweden);**

131.111. **Ensure the adjustment of the Public Safety Act, in order not to limit freedom of expression and the right to peaceful assembly (Chile);**

131.112. **Take measures to ensure that all legislation, in particular laws concerning the right of all persons to peaceful assembly and demonstration, upholds international human rights obligations (Costa Rica);**

131.113. **Ensure the full enjoyment of the rights to freedom of assembly and freedom of expression, facilitate the holding of peaceful rallies and revise existing laws or refrain from adopting new laws placing undue restrictions and deterrents on the exercise of freedom of assembly and freedom of expression (Czech Republic);**

131.114. **Adopt legislation that defines the necessity and proportionality of the use of force by police during acts of protest of the civil population (Russian Federation);**

131.115. **Increase awareness of security forces on the respect for human rights during demonstrations, to ensure the right to peaceful assembly and freedom of expression and association (Switzerland);**

131.116. **Step up measures to improve employability and access to employment, especially among young men and women, and ensure equal opportunities between them (Malaysia);**

131.117. **Put more emphasis on employment, especially on reducing the unemployment rate of young people (China);**

131.118. **Address the youth unemployment and combat effectively the existing discrimination against migrants in terms of their working conditions and requirements governing access to employment (Iran (Islamic republic of));**

131.119. **Ensure laws regarding discrimination with respect to employment or occupation are enforced and that members of the Romani community have the same inclusive legal protections, wages and working conditions as others (United States of America);**

131.120. **Fully ensure the safety and economic and social rights of migrant workers, in particular in irregular situations (Bangladesh);**

131.121. **Review and modify, in the light of the recommendations of this review, those measures that may obstruct access to basic rights such as health, education and housing for migrants, particularly women and children (Nicaragua);**

131.122. **Make an impact assessment of any negative consequences of budgetary adjustments with regard to universal access to health and education, particularly their impact on vulnerable groups such as migrants, women, people with disabilities, the elderly and children (Norway);**

131.123. **Proceed to systematically assess the impact of austerity measures on the most vulnerable social groups, especially children (Algeria);**

131.124. **Consider prioritizing measures to mitigate the impacts of the economic crisis (Sri Lanka);**

131.125. **Take steps to ensure that the measures of austerity do not negatively impact economic, social and cultural rights, specially the rights to adequate housing, health, food and education (Brazil);**

131.126. **That any austerity measures adopted by the Government should be minimal, temporary, proportional, non-discriminatory, and take into account the needs of the poorest and most disadvantaged citizens (Egypt);**

131.127. **Resume the measures of social protection and care for the most disadvantaged affected by the international economic and financial crisis (Cuba);**

131.128. **Resume as soon as possible, measures of social protection and care for those most affected by the severe effects of the crisis (Venezuela (Bolivarian Republic of));**

131.129. **Give priority to the improvement of the situation of those living in severe poverty when restoring the social protection measures and assistance (Slovenia);**

131.130. **Continue its efforts to fully ensure economic and social rights for all vulnerable groups, including immigrants and persons with disabilities (Republic of Korea);**

131.131. **Pursue actions targeted at enforcing access to health-care services and legal aid to vulnerable groups, including migrants regardless of their migration status (Republic of Moldova);**

131.132. **Introduce reforms to protect economic, social and cultural rights including the right to development and eradicate poverty, tackle unemployment and social inequalities (Pakistan);**

131.133. **Consider the adoption of a comprehensive policy to address forced evictions of owners who can no longer pay their mortgages (Slovakia);**

131.134. **Promote the relevant legislative review to encourage agreements between individuals and financial institutions in order to avoid evictions (Venezuela (Bolivarian Republic of));**

131.135. **Consider adopting comprehensive measures that provide adequate guarantees to the protection of the rights of migrant persons, particularly in relation to the right to housing (Ecuador);**

131.136. **Ensure access to health care and effective health coverage for all individuals without discrimination (Thailand);**

131.137. **Provide health-care coverage for all persons residing in Spain, regardless of their administrative status (The former Yugoslav Republic of Macedonia);**

131.138. **Ensure access to basic health care and medical assistance to all people living in Spain without discrimination, including migrants with an irregular situation (Uruguay);**

131.139. **Review the health reforms to ensure health-care services for migrants (India);**

131.140. **Facilitate the access of children belonging to the most vulnerable groups to health services and education (Algeria);**

131.141. **Consider incorporating sexual and reproductive health education into the school curriculum (Slovenia);**

131.142. **Continue its efforts to increase the education budget to ensure adequate remuneration of teachers and adopt the necessary measures to guarantee education of quality and under equal conditions regardless of the ethnic origin, gender and disability of students (Mexico);**

131.143. **Protect the primary school education sector by maintaining adequate and appropriate budgets (Bahrain);**

131.144. **Continue its efforts to reduce early dropouts from education and training (Myanmar);**

131.145. **Take the necessary measures to reduce the early school leaving rate (Turkey);**

131.146. **Continue to take action to guarantee equal access to basic quality education for all children in the country, including children of migrants (Philippines);**

131.147. **Ensure equal education opportunities for migrants' children and Roma in particular (Poland);**

131.148. **Continue efforts with a view to guaranteeing the right for an inclusive education to all children, including children belonging to minorities or immigrant children (Senegal);**

131.149. **Take measures to further improve access to education for children with immigrant backgrounds (Bangladesh);**

131.150. **Take necessary measures to improve access to education for children belonging to minorities and for children from immigrant families as well as to develop programmes to reduce school drop-out rate (The former Yugoslav Republic of Macedonia);**

131.151. **Develop the necessary initiatives in order to prevent and combat any school segregation of Gypsy students (Venezuela (Bolivarian Republic of));**

131.152. **Ensure that all persons with disabilities enjoy protection against discrimination, and have access to equal opportunities irrespective of their level of disability (Jordan);**

131.153. **Create wide-ranging protection against the denial of rights to persons with disabilities to facilities and equal rights (Libya);**

131.154. **Continue measures to ensure the full participation of civil society representing persons with disabilities in the current reform processes of the civil code and the law of civil procedure regarding the matter of legal capacity, in accordance with the Convention on the Rights of Persons with Disabilities (Mexico);**

131.155. **Intensify their efforts to further improve the situation concerning the protection of rights of persons with disabilities (Cyprus);**

131.156. **Ensure that persons with disability have the right to vote (Ghana);**

131.157. **Take further action to ensure the full participation of persons with disabilities in the country's political and public life and their access to equal opportunities (Greece);**

131.158. **Continue and strengthen the efforts aimed at the full integration of the Gypsy community and other minorities (Montenegro);**

131.159. **Implement the National Strategy for the Social Inclusion of Roma community in order to achieve the objectives provided for their social community (Albania);**

131.160. **Make enhanced efforts to combat discrimination against the Roma population to improve their access to education, housing, health and employment (India);**

131.161. **Increase measures to eradicate discrimination against the immigrant population, as well as to improve the situation of Gypsies and integration into Spanish society (Azerbaijan);**

131.162. **Continue to strengthen the cooperation with countries of origin, transit as well as destination in dealing with irregular migration (Thailand);**

131.163. **Guarantee, explicitly, equal rights before the law for non-citizens (Israel);**

131.164. **Ensure equal treatment before the law for non-citizens (Honduras);**

131.165. **Observe the right of individuals to consular access (India);**

131.166. **Adopt effective measures to stabilize the situation in the area of rights of migrants, including the end of the practice of unauthorized forced repatriation of migrants (Russian Federation);**

131.167. **Strengthen measures to ensure the full enjoyment of the rights of migrants, and the investigation and punishment of statements that incite to hate and other acts of discrimination against them, particularly those coming from officials of police, judicial and penitentiary organs as well as from immigration services (Argentina);**

131.168. **Continue its efforts to ensure that treatment of migrants and asylum-seekers is in accordance with relevant international standards (Japan);**

131.169. **Continue with its efforts to safeguard the rights of migrants, and provide adequate funding for migrant integration policies (Jordan);**

131.170. **Take further measures to enhance the rights of regular and irregular migrants alike (Turkey);**

131.171. **Carry out measures so that, especially when treating with migrants and other vulnerable persons, all actions that are taken are respectful of the guarantees and protections established under international human rights instruments (Costa Rica);**

131.172. **Adopt more appropriate measures to improve the integration of migrants in society and eradicate poverty among vulnerable groups, especially children (Angola);**

131.173. **Ensure respect for procedural guarantees, including access to a lawyer and an interpreter, for migrants that are detected entering irregularly the autonomous cities (Israel);**

131.174. **Ensure that all migrants in detention have access to basic services and adequate living conditions (Canada);**

131.175. **Further strengthen the protection of the rights and dignity of foreigners when subjected to identity controls or expulsion procedures (Tunisia);**

131.176. **Ensure prompt investigation of allegations of mistreatment by security forces of migrants at the border to ensure that they are treated in accordance with international human rights obligations (Canada);**

131.177. **Ensure access to effective asylum procedures in line with international law and that migration policies respect the principle of non-refoulement and European Union legislation (Norway);**

131.178. **Ensure access to effective asylum procedures in line with international law and ensure that migration policies fully respect the principle of non-refoulement and are in line with European Union legislation (Sweden);**

131.179. **Fully respect the principle of non-refoulement and ensure effective access to asylum procedures for those fleeing human rights violations (Uruguay);**

131.180. **Review the current deportation practices for migrants in Ceuta and Melilla as well as the proposed amendment of Spain's national security law to ensure the right of an individual to seek asylum (Austria);**

131.181. **Ensure that the Spanish legal framework concerning migrants, refugees and asylum seekers, with particular attention to the autonomous cities of Ceuta and Melilla, complies with its international human rights obligations, including with regard to procedural safeguards (Canada);**

131.182. **Ensure that the immigration law and its proposed amendments are in compliance with the principle of non-refoulement and the prohibition of inhuman or degrading treatment, most importantly the provisions allowing for summary return of migrants and refugees without due process (Czech Republic);**

131.183. **Take appropriate measures to ensure that the framework protocol for the protection of migrant children is consistent with international standards and that it is effectively implemented and monitored (Philippines);**

131.184. **Adopt legislative measures strengthening the protection of unaccompanied foreign minors (Iran (Islamic Republic of));**

131.185. **Take legislative and administrative measures to better protect unaccompanied migrant children (Togo);**

131.186. **Adopt legislative measures in order to strengthen the protection of unaccompanied foreign minors (The former Yugoslav Republic of Macedonia);**

131.187. **Take the appropriate measures so that international standards and the principle of the best interests of the child are observed in cases of repatriation of unaccompanied children, and adopt legislative measures to prevent that they become victims of trafficking (Honduras);**

131.188. **Finalize a national action plan on business and human rights in order to implement the United Nations Guiding Principles on Business and Human Rights (United Kingdom of Great Britain and Northern Ireland);**

131.189. **Contribute, with Spanish civil society stakeholders, to carry out initiatives on the elaboration of an international legally binding instrument on transnational corporations and human rights in the framework of the Human Rights Council, considering that the issue of corporations is one of the six Spanish foreign policy priorities in the area of human rights (Ecuador).**

132. **All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.**

Annex

[English only]

Composition of the delegation

The delegation of Spain was headed by Mr. Ignacio Ybañez, Secretary of State for Foreign Affairs and composed of the following members:

- Mrs. Ana María Menéndez, Ambassador, Permanent Representative, Permanent Mission of Spain to the Office of the United Nations and International Organizations in Geneva;
- Mr. Javier Sanabria, Director General for the United Nations and Human Rights, Ministry of Foreign Affairs and Cooperation;
- Ms. Cristina Fraile, Director of the Office of Human Rights, Ministry of Foreign Affairs and Cooperation;
- Mr. Jorge Vazquez, Technical Advisor of the Cabinet of the Secretary of State for Foreign Affairs, Ministry of Foreign Affairs and Cooperation;
- Mr. Javier Gómez de Agüero, Advisor of the Secretariat of State for Justice, Ministry of Justice;
- Ms. Eugenia Hernández, Advisor to the Directorate General for International Legal Cooperation and Relations with the Confessions, Ministry of Justice;
- Ms. Almudena Darias de las Heras, Assistant Deputy Director General for Justice Affairs in the EU and International Organisations, Ministry of Justice;
- Ms. Laura Fernández Castro, Advisor of the Cabinet of the Under- Secretary for Economy and Competitiveness, Ministry of Economy and Competitiveness;
- Mr. Pascual Tomás, Counsellor for Financial Affairs, before the Office of the United Nations and International Organizations in Geneva, Ministry of Finance and Public Administration;
- Mr. Joaquín Támara, Deputy Director General, Office for Asylum, Ministry of the Interior;
- Mr. Juan Carretero, Advisor to the Cabinet of the Secretary of State for Security, Ministry of Interior;
- Mr. Francisco González Pacheco, Assistant Deputy Director General for International Relations, Immigration and Aliens, Ministry of Interior;
- Ms. Teresa Udaondo, Technical Advisor for Multilateral Organizations, Ministry of Education, Culture and Sports;
- Ms. Valle Ares, Advisor of the Cabinet of the Secretary of State for Parliamentary Relations, Ministry of the Presidency;
- Mr. Rubén Moreno, Secretary General for Health and Consumption, Ministry of Health, Social Services and Equality;
- Mr. Ignacio Sola, Deputy Director General for Equal Treatment and Non-Discrimination, Ministry of Health, Social Services and Equality;
- Mr. Luis Angel Redondo, Counsellor, Permanent Mission of Spain to the Office of the United Nations and International Organizations in Geneva;
- Mr. Vicente Cacho, First Secretary, Permanent Mission of Spain to the Office of the United Nations and International Organizations in Geneva.